



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

**STATE OF DELAWARE**  
**BOARD OF PHARMACY**

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: [DPR.DELAWARE.GOV](http://DPR.DELAWARE.GOV)  
EMAIL: [customerservice.dpr@state.de.us](mailto:customerservice.dpr@state.de.us)

<b>PUBLIC MEETING NOTICE:</b>	<b>BOARD OF PHARMACY</b>
<b>DATE AND TIME:</b>	<b>Wednesday, September 18th at 9:30 am</b>
<b>PLACE:</b>	Conference Room A, 2nd Floor Cannon Building 861 Silver Lake Blvd., Dover, DE 19904
<b>APPROVED:</b>	

**MEMBERS PRESENT**

Hooshang Shanehsaz, R.Ph., Professional Member, President  
Ruth Dixon, R.Ph., Professional Member, Vice President  
Bonnie Wallner, R.Ph., Professional Member  
Mark Mervine, Public Member  
Gayle MacAfee, Public Member  
Tejal Patel, PharmD, MBA, Professional Member  
Susan Esposito, R.Ph., Professional Member

**MEMBERS ABSENT**

Nicholas Juliano, PharmD., Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Eileen Kelly, Deputy Attorney General  
Geoffrey Christ, Executive Secretary  
Michelle McCreary, Pharmacy Inspector  
Jason Slavoski, PMP Administrator

**ALSO PRESENT**

Suzanne Raab-Long  
Alicia Palombo  
Bhavin Patel  
Jasbir Deol  
Vincent Madaline  
Steve Meadows  
Cheelove Joinville  
Jen Ranby  
K Z Robbins  
Elizabeth L. Zubaca

**CALL TO ORDER**

Mr. Shanehsaz called the meeting to order at 9:30 a.m.

**REVIEW OF MINUTES**

A Motion was made by Ms. Wallner, and seconded by Ms. Patel to approve the August 28, 2019 meeting minutes. The motion unanimously carried.

## **UNFINISHED BUSINESS**

### **Statutory and Regulatory Discussion**

None

## **NEW BUSINESS**

### **PRESIDENT'S REPORT**

Mr. Shaneshaz reported that he will be attending Pharmacy Benefit Manager task force meetings in the upcoming weeks. The Board of Pharmacy President is statutorily required to attend the meetings.

### **Executive Director's Report**

Mr. Christ had nothing to report due to the shortened amount of time between meetings.

### **Review of Consent Agreements:**

#### **1. Charles Benton #13-01-19:**

Ms. Kelly reviewed the findings of fact from the Consent Agreement. She stated that the State and Mr. Benton agreed to a letter of reprimand for the infraction. Mr. Shaneshaz stated that this type of infraction is too serious for a letter of reprimand. He suggested one year of probation. Mr. Mervine recommended 6 months of probation. Ms. Esposito suggested adding 3 Continuing Education credits on patient safety. Ms. Patel Concurred with Ms. Esposito. The following motions were made.

- Ms. Patel made a motion to reject the Consent Agreement and recommended 3 additional Continuing Education credits on patient safety. Ms. Esposito seconded the motion. Motion failed
- Mr. Mervine made a motion to reject the Consent Agreement and recommended 6 additional Continuing Education credits and one year of probation. No second. Motion failed.
- Ms. Patel made a motion to reject the Consent Agreement and recommended 6 additional Continuing Education credits. Three credits on medication safety and 3 credits on controlled substance dispensing. Ms. Esposito seconded the motion. Motion failed.
- Mr. Shaneshaz made a motion to reject the Consent Agreement and recommended 6 additional Continuing Education credits and one year of probation. Mr. Mervine seconded the motion. Motion failed.
- Ms. Esposito made a motion to reject the Consent Agreement with no recommendations. Mr. Mervine seconded the motion. Motion failed.
- Mr. Shaneshaz made a motion to reject the Consent Agreement and recommended 9 additional continuing education credits as well as a letter of reprimand. Ms. Dixon seconded the motion. Motion failed.
- Mr. Shaneshaz made a motion to reject the consent agreement and recommended 9 additional continuing education credits as well as a letter of reprimand. Mr. Shaneshaz clarified that his motion did not include any probation. No second. Motion failed.
- Mr. Shaneshaz made a motion to reject the consent agreement and recommended 9 additional continuing education credits as well as a letter of reprimand. Three credits on patient safety, controlled substances, and medication diversion. Ms. Esposito seconded. Motion passed 5-1. Ms. Wallner recused herself from the voting.

#### **2. Ainsley L. Gopie #13-12-18:**

Ms. Kelly reviewed the findings of fact and agreement reached in the proposed Consent Agreement. Mr. Shaneshaz stated that in this case the pharmacist was doing his best to take care of his patients. Mr. Shaneshaz then made a motion to accept the Consent Agreement as proposed. Mr. Mervine seconded the motion. The motion passed unanimously. Ms. Wallner recused herself from the voting.

#### **3. Gregory D. Malloy #13-11-18:**

Ms. Kelly reviewed the findings of fact and the agreement reached by the parties in the proposed Consent Agreement. Mr. Shaneshaz stated that this was gross negligence and suggested that the proposed discipline was not adequate. Ms. Esposito suggested a 6 month suspension because Mr. Malloy filled the prescription for this patient early more than once. Ms. Esposito also recommended 6 additional Continuing Education credits and a \$1000 fine. Mr. Shaneshaz suggested an additional 2 years of probation. Ms. Esposito made a motion to reject the consent agreement and recommended 6 months suspension, followed by two years of probation, 6 additional Continuing Education credits, and a \$1000 fine. Mr. Mervine seconded. Motion passed unanimously.

*Ms. Shaneshaz read into the record the following ratifications:*

**Pharmacist and Intern Licensure Approval Ratifications**

**Pharmacist:**

A1-0005429	Patel, Gaurang R.	Pharmacist
A1-0005430	Anarfi, Bernard	Pharmacist
A1-0005431	Verner, Lauren Marie	Pharmacist
A1-0005432	Murphy, Ty Lawrence	Pharmacist
A1-0005433	Cahill, Connor Steven	Pharmacist
A1-0005434	Morrone, Daniela Gabriela	Pharmacist
A1-0005435	Lee, Rebekah Jinhee	Pharmacist
A1-0005436	Close, William James	Pharmacist
A1-0005437	Etone Nkwelle, Marc Mezim	Pharmacist
A1-0005438	Gomes, Yves Gerald	Pharmacist
A1-0005439	Fong, Nancy	Pharmacist
A1-0005440	Kokroko, Wilson	Pharmacist
A1-0005441	Veerapaneni, Subha Padmin Harika	Pharmacist
A1-0005442	Buselli, Matthew Louis	Pharmacist
A1-0005443	Zheng, Fen	Pharmacist
A1-0005444	Nguyen, Vu Phan Hoang	Pharmacist
A1-0005445	Lyons, Sara Elizabeth	Pharmacist
A1-0005446	Rehrig, Troy Alan	Pharmacist
A1-0005447	Weiner, Ashley	Pharmacist
A1-0005448	Kappock, Jonathan Michael, Jr.	Pharmacist

**Pharmacist Intern:**

A7-0002515	Tompkins, Caitlyn Anna	Pharmacist - Intern
A7-0002516	Borik, Ashlyn Rose	Pharmacist - Intern

Ms. Esposito made a motion to ratify the pharmacist and pharmacy intern licenses. Ms. Patel seconded. Motion passed unanimously.

**Non-Resident Pharmacy Licensure Approval Ratifications**

A9-0002403	Xpresso Pharmacy Inc.	Non Resident Pharmacy
------------	-----------------------	-----------------------

A9-0002404	PrimeTouch Pharmacy	Non Resident Pharmacy
A9-0002405	US Vet Meds LLC	Non Resident Pharmacy
A9-0002406	Placida Rx LLC	Non Resident Pharmacy
A9-0002407	PharmaCorr, LLC	Non Resident Pharmacy
A9-0002408	Community, A Walgreens Pharmacy #16537	Non Resident Pharmacy
A9-0002409	Vencer Vital Care	Non Resident Pharmacy
A9-0002410	CHI Health Specialty Pharmacy	Non Resident Pharmacy
A9-0002411	Mathew Management IV, Inc.	Non Resident Pharmacy

#### **Wholesale Distributor Licensure Approval Ratifications**

A4-0002676	Clean Harbors Aragonite, LLC	Pharmacy - Wholesale
A4-0002677	Exel Inc. dba DHL Supply Chain (USA)	Pharmacy - Wholesale
A4-0002678	American Regent, Inc.	Pharmacy - Wholesale
A4-0002679	Health Care Solutions at Home Inc.	Pharmacy - Wholesale
A4-0002680	J. Knipper and Company, Inc.	Pharmacy - Wholesale
A4-0002681	J. Knipper and Company, Inc.	Pharmacy - Wholesale
A4-0002682	RxCrossroads 3PL LLC	Pharmacy - Wholesale
A4-0002683	RxCrossroads 3PL LLC	Pharmacy - Wholesale
A4-0002684	Teleflex LLC	Pharmacy - Wholesale

#### **Medical Gas Distributor Licensure Approval Ratifications**

A2-0000159	Graham-Sego Corporation dba Sego's Home Medical Equipment	Medical Gas Dispenser
A2-0000160	Graham-Sego Corporation dba Sego's Home Medical Equipment	Medical Gas Dispenser

#### **Manufacturer**

None

#### **Retail Pharmacy Licensure Approval Ratification**

None

#### **Non-Retail Pharmacy Licensure Approval Ratification**

None

#### **Outsourcing Facility**

None

#### **Hospital**

None

Ms. Patel made a motion to ratify all licenses, Ms. Wallner seconded the motion. The motion passed unanimously.

#### **Board Review of Facility Applications**

None

**Board Review of Pharmacist Applications**

None

**Board Review of Disciplinary Action Received**

None

**Board Review of Hearing Officer Recommendation**

None

**Pharmacist and Pharmacy - Discussion/Action Items**

Ms. Patel stated that the Delaware Board of Pharmacy is scheduled to host the NABP District 1 and 2 meeting in 2022. Ms. Patel explained to the Board what a tremendous undertaking this would be for the Board. She also noted that the composition of the Board is likely to change dramatically in the near future based on how many member's terms have or are expiring. Mr. Shaneshaz made a motion requesting that Ms. Patel reach out to NABP and inquire as to whether or not Delaware could postpone hosting the meeting until 2024. Ms. Esposito seconded the motion. Motion passed unanimously.

**COMMITTEE REPORTS**

**Legislative** – Tejal Patel, Hooshang Shanehsaz, Bonnie Wallner, Nicholas Juliano and Gayle MacAfee

Ms. Kelly is currently putting the Committee's recommendations into bill form.

**Professional Liaisons** – Tejal Patel and Hooshang Shanehsaz:

None

**Controlled Substance Liaisons** –Tejal Patel, Hooshang Shanehsaz:

Mr. Christ reported that the next meeting of the Controlled Substances Advisory Committee will be on September 25, 2019 in the Cannon Building.

**INSPECTION REPORT - Michelle McCreary**

Ms. McCreary *reported the following inspection activities in addition to her routine inspections:*

- Routine Inspections
- 3 – Remodel inspections of Walgreens for upgrades

Ms. McCreary also discussed the regulatory requirements of USP 800. She stated that there seems to be a great deal of confusion, particularly in retail pharmacies, around this chapter. An email will be sent to all licensees as well as a piece in the next newsletter.

**PMP REPORT – Jason Slavoski**

*Mr. Slavoski reported the following:*

- He attended a meeting hosted by the PMP vendor, Apriss, which included most of the PMP Administrators in the country.
- The Division of Professional Regulation in conjunction with The Division of Substance Abuse and Mental Health demonstrated the PMP and Delaware Treatment Referral Network to Representative Blunt-Rochester.
- Walgreens is preparing to integrate the PMP into their dispensing system.
- Delaware and Pennsylvania are the two states chosen to pilot a federal program with the Veterans Administration and Department of Defense. The program will integrate the Delaware PMP into the Electronic Health Record at both Veterans Administration Facilities and Military Facilities in Delaware.
- The PMP is currently funded by a grant that ended on August 31, 2019. The PMP will be the beneficiary of a new grant that starts on the same date. The new grant funding is approved for three years

- One of the conditions of the new grant is for Delaware to enroll in the Rxcheck system. Mr. Slavoski gave a brief summary of the Rxcheck system.

### **Pharmacist-In-Charge Interviews**

Mr. Shanehsaz conducted the consultant pharmacist interview, reviewing regulations and sole responsibilities of a Consultant Pharmacist.

### **Physician Assistant Council Report**

Mr. Shanehsaz reported that he attended the meeting last night. The meeting focused mainly on the topic of HB 169. This bill changes the Physician's Assistant statute from a supervisory model to a collaborative mode. The bill also adds to Physician Assistant members to the Board of Medical Practice and Discipline.

### **Discussion and Appointment of a Liaison to the Limited Lay Administration of Medications (LLAM) Committee**

Ms. Esposito gave a brief summary of the committee and its function. She suggested the Board appoint one member and an alternate. Ms. Dixon volunteered to be the Liaison to the committee. Ms. Esposito will be the alternate. Mr. Shaneshaz made a motion to appoint Ms. Dixon as the Liaison and Ms. Esposito as her alternate. Ms. Wallner seconded the motion. The motion passed unanimously.

### **BOARD CORRESPONDENCE**

None

### **OTHER BUSINESS BEFORE THE BOARD (Discussion Only)**

### **PUBLIC COMMENT**

Kim Robbins with DPS reported on the state of ongoing collaborative care efforts in Delaware.

Ms. Robbins reported that DPS has a conference call Board meeting this evening. Dr. Dejos, the legislative contact for DPS, has accepted a position in Tennessee. DPS is currently looking for someone to replace him.

Ms. Robbins reported that the last grant funded diabetes training class will take place at DPS on October 23, 2019.

Ms. Robbins reported that four members of DPS are serving on the newly created Pharmacy Benefit Manager Task Force.

Ms. Robbins invited Board members to attend the monthly meetings

Ms. Robbins reported that she attended the American Pharmacist Association conference this past weekend. She noted that 147 new pieces of legislation were passed nationwide having to do with Pharmacy Benefit Managers.

Ms. Robbins reported that the General Membership Meeting of the Delaware Pharmacists Society will take place on the third Wednesday in January.

Ms. Robbins reported that the DPS convention will be held in Newark, Delaware from June 1<sup>st</sup> through June 3<sup>rd</sup>.

### **NEXT SCHEDULED MEETING**

The next meeting is scheduled for October 16, 2019 at 9:30 a.m., 2nd Floor Conference Room.

**ADJOURNMENT**

There being no other business before the Board, a motion to adjourn the meeting was made by Ms. Patel, and seconded by Ms. Esposito at 10:29 am. The motion unanimously carried.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Geoffrey Christ', with a stylized flourish extending to the right.

Geoffrey Christ, R.Ph., J.D.  
Executive Secretary, Delaware Board of Pharmacy